

FILED*08 JUN 02 11:38USDC-ORH

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN L. EASTMAN, et al.,)	Civil No. 08-3043-CL
)	
Plaintiffs,)	ORDER
)	
v.)	
)	
ART ANDERSON, et al.,)	
)	
Defendants.)	

PANNER, Judge.

On May 9, 2008, Magistrate Judge Clarke filed his Report and Recommendation (docket # 5), which recommended dismissal of the claims against the Oregon Department of Transportation because that agency is an arm of the state. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Although no objections have been timely filed, this court still must review the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983) (absence of objection does not relieve "district court of its obligation . . . to decide for itself whether the Magistrate's report is correct"). I find no error.

/ / / /

Conclusion

Magistrate Judge Clarke's Report and Recommendation (docket # 5) is adopted. The claims against the Oregon Department of Transportation are dismissed, without prejudice.

IT IS SO ORDERED.

DATED this 7 day of June, 2008.

A handwritten signature in black ink, appearing to read "Owen M. Panner", is written over a horizontal line.

Owen M. Panner
United States District Judge